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Dkt. 0575/62948/JPW/ADM/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jingyue Ju, et al
U.S. Serial No. : 09/823,181
Filed : March 30, 2001
For : HIGH-FIDELITY DNA SEQUENCING USING SOLID
PHASE CAPTURABLE DIDEXOYNUCLEOTIDES AND
MASS SPECTROMETRY

1185 Avenue of the Americas
New York, New York 10036
July 6, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO MAY 7, 2001 NOTICE TO FILE MISSING
PARTS OF APPLICATION FILING DATE GRANTED

This Communication is submitted in response to the May 7, 2001 Notice to File Missing Parts of Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to this May 7, 2001 Notice is due July 7, 2001. Accordingly, this Communication is being timely filed.

The Notice to File Missing Parts of Application indicates that the oath or declaration is missing. Applicants attach hereto a copy of the Notice as **Exhibit A**. In response, applicants submit as **Exhibit B** hereto a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f). In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial

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number and filing date.

The surcharge under 37 C.F.R. §1.16(e) for submitting the enclosed Declaration for a small entity is SIXTY FIVE DOLLARS (\$65.00). Accordingly a check in the amount of SIXTY FIVE DOLLARS (\$65.00) is enclosed.

The Notice to File Missing Parts of Application indicates that the C.R.F. Sequence Listing does not comply with 37 C.F.R. §1.822 and/or 1.823. In response applicants submit as **Exhibit C** a C.R.F. Sequence Listing in compliance with 37 C.F.R. §1.822 and 1.823. Applicants also submit as **Exhibit D** a paper copy Sequence Listing, and Statement in accordance with 37 C.F.R. §1.821(f) as **Exhibit E**.

The computer readable format Sequence Listing and paper copy Sequence Listing contain no new matter as required by §37 C.F.R. 1.821 and §37 C.F.R. 1.825.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

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No fee, other than the enclosed fee of \$65.00, is deemed necessary in connection with the filing of this Communication. If any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

John P. White
Reg. No. 28,678

Date

7/6/01



62948

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/823,181	03/30/2001	Jingyue Ju	0575/62948/JPW/ADM

CONFIRMATION NO. 9161

FORMALITIES LETTER



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Date Mailed: 05/07/2001

2m. 7.7.01
3m. 8.7.01
4m. 9.7.01
5m. 10.7.01
6m. 11.7.01
7m. 12.7.01

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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U.S. Serial No.: 09/823,181
Filed: March 30, 2001
Exhibit A

A copy of this notice MUST be returned with the reply.

[Handwritten signature]

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY